REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 31-60 are currently being prosecuted. Claims 31, 43-45, 48, 55, 59 have been amended by the present amendment.

In the outstanding Office Action, claims 43, 45-48, 50-55 and 58 were rejected under 35 U.S.C. § 102(b) as anticipated by Hiroyoshi et al.; claims 59 and 60 were rejected under 35 U.S.C. § 102(b) as anticipated by Sakai; claim 44 was rejected under 35 U.S.C. § 103(a) as unpatentable over Hiroyoshi et al.; claims 31-42, 56 and 57 were rejected under 35 U.S.C. § 103(a) as unpatentable over Hiroyoshi et al. in view of Applicant's admitted prior art (AAPA); and claim 49 was indicated as allowable if rewritten in independent form.

In more detail, amended independent claim 31 includes a combination of features and is directed to a vibration device including upper and lower cases combined with each other to form a case, a magnetic force generating unit provided on at least one surface of the upper and lower cases, at least one magnet disposed to be opposite to the magnetic force generating unit, a weight combined with the at least one magnet, and at least one elastic unit configured to support the weight elastically. Further, the at least one elastic unit is directly fixed and supported with the case.

These features are supported at least by Figures 3 and 4. For example, Figures 3 and 4 illustrate a vibration device including upper and lower cases 110 and 120 combined with each other to form a case, a magnetic force generating unit 130 provided on at least one surface of the upper and lower cases 110 and 120, at least one magnet 140 disposed to be opposite to the magnetic force generating unit 130, a weight 150 combined with the at least one magnet 140, and

at least one elastic unit 160 configured to support the weight 150 elastically. Further, the at least one elastic unit 160 is directly fixed and supported with the case 110 and 120.

On the contrary, as shown in Figure 1 of Hiroyoshi, Hiroyoshi fails to teach or suggest that the at least one elastic unit is directly fixed and supported with the case. Rather, Hiroyoshi discloses the at least one elastic unit is fixed and supported with the case by fixing means frame 210 (see page 7 of the Office Action).

Further, amended independent claim 43 is directed to a vibration device including a casing body having an upper surface, a lower surface and a side surface, a weight including at least one magnet disposed in the casing body, at least one elastic unit configured to support the weight elastically and contacted with the casing body, and a magnetic force generating unit configured to generate a magnetic force to vibrate the weight in the casing body. Further, a distance between a side surface of the weight and a side surface of the casing body is smaller than a distance between an upper surface of the weight and the upper surface of the casing body.

These features are also supported at least by Figures 3 and 4. For example, Figures 3 and 4 illustrate a distance between a side surface of the weight 150 and a side surface of the casing body 110, 120 is smaller than a distance between an upper surface of the weight and the upper surface of the casing body. It is respectfully submitted the applied art also does not teach or suggest these features.

Hiroyoshi fails to teach or suggest that a distance between the side surface of the weight and the side surface of the casing body is smaller than a distance between an upper surface of the weight and the upper surface of the casing body. Rather, as shown in Figure 1 of Hiroyoshi, in Hiroyoshi, the distance between the side surface of the weight 120 and the side surface of the

casing body 410 is greater than the distance between an upper surface of the weight 120 and the upper surface of the casing body 410.

In addition, amended independent claim 55 includes a combination of elements and is directed to a vibration device including a casing body including an upper surface, a lower surface and a side surface, a weight including at least one magnet disposed in the casing body, an elastic unit configured to support the weight elastically and directly fixed with the casing body and the weight at a direct fixing portion of the elastic unit, and a magnetic force generating unit configured to generate a magnetic force to vibrate the weight in the casing body. Further, the magnetic force generating unit, the direct fixing portion of the elastic unit and the casing body are formed on a same horizontal plane.

These features are supported at least by Figures 3 and 4. For example, Figures 3 and 4 illustrate the magnetic force generating unit 130, the direct fixing portion of the elastic unit 160 and the casing body 120 are formed on a same horizontal plane.

Hiroyoshi fails to teach or suggest that an elastic unit is directly fixed with the casing body and the weight at a direct fixing portion of the elastic unit. Moreover, Hiroyoshi fails to teach or suggest that the magnetic force generating unit, the direct fixing portion of the elastic unit and the casing body are formed on a same horizontal plane. In Hiroyoshi, an elastic unit 310 is fixed with the weight 120, but is not fixed with the casing (see figure 1 of Hiroyoshi). Further, in Hiroyoshi, the magnetic force generating unit 220, the direct fixing portion of the elastic unit 310 and the casing body are not formed on a same horizontal plane, as shown in Figure 1 of Hiroyoshi.

In addition, amended independent claim 59 includes a combination of elements and is

directed to a vibration device including a case, a terminal plate attached to one side of the case and connected to an external power source, a vibrating plate disposed in an upper portion of the case, a voice coil disposed below the vibrating plate, a magnetic force generator formed below the voice coil, a 3-dimensional elastic unit for elastically supporting the magnetic force generator, and upper and lower covers formed above and below the case to protect inner components between the upper and lower covers. Further, the 3-dimensional elastic unit is directly fixed and supported with the case and the lower cover.

These features are supported at least by Figure 9. It is respectfully submitted the applied art does not teach or suggest the features recited in amended independent claim 55.

Sakai fails to teach or suggest that the 3-dimensional elastic unit is directly fixed and supported with the case and the lower cover. In Sakai, the 3-dimensional elastic unit 5 is only fixed with the case 12 and the yoke 1 (see Figure 1B of Sakai).

In addition, with regard to amended dependent claims 44 and 45, Hiroyoshi fails to teach or suggest that the at least one elastic unit is directly contacted with the lower surface or upper surface of the case. Further, with regard to amended dependent claim 48, Hiroyoshi fails to teach or suggest that the fixing member is directly fixed with the upper surface, the lower surface and the side surface of the casing body.

Accordingly, it is respectfully submitted amended independent claims 31, 43, 55 and 59, and each of the claims depending therefrom are allowable.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

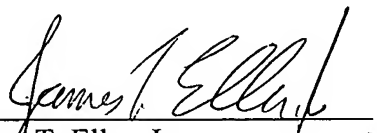
Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

If the Examine believes, for any reason, that personal communication will expedite the prosecution of this application, the Examiner is invited to telephone Jun S. Ha at (703) 205-8072 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: October 26, 2007

Respectfully submitted,

By 
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